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EXAMINER	
PARRY, CHRISTOPHER L	
ART UNIT	**PAPER NUMBER**
2614	

DATE MAILED: 03/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/895,879	ISTVAN ET AL.	
	Examiner	Art Unit	
	Chris Parry	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 January 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *13-35* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *13-35* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *03 January 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *01/03/2006*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

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DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 15 and 35 have been considered but are moot in view of the new ground(s) of rejection.

In response to applicant's argument (page 7, 2nd paragraph), that Gauthier's disclosure does not teach or suggest the presently claimed invention, the examiner cites the rejection of claim 13 below, where Gauthier addresses the claimed invention by providing configuration information for at least one user object (108 – figure 1 and Col. 4, lines 58-66 and Col. 6, lines 32-47) to an access device (108 – figure 3) in a multimedia communication network system having a server (Col. 3, lines 1-19), access devices being associated with one or more households (114 – figure 1 and Col. 4, line 58 – Col. 5, line 8). Gauthier meets claimed household by disclosing a viewer within a residence could have an NID account created and stored on the provider's server. The NID stores all the viewer's identities and account information (Col. 7, line 19 – Col. 7, line 20). So therefore, a single viewer living in a residence with multiple viewer accounts and ASTBs meets claimed "household".

In response to applicant's argument (page 8, 4th paragraph), that Gauthier's disclosure does not teach or suggest the presently claimed invention, the examiner cites

the rejection of claim 13, where Gauthier addresses "receiving information that an access device is being associated with a household" by disclosing when the viewer connects the ASTB or "access device" to the cable plant through the normal premise cable outlet and the ASTB goes through an initialization process in which a normal DHCP process occurs to establish IP connectivity between the ASTB and a member services component of the MSO (Col. 5, lines 30-40). So, when the MSO DHCP server receives information from the ASTB or "access device", IP connectivity is established between the server and the ASTB or "access device" facilitating the association of the newly added device to the subscriber's residence or "household".

In response to applicant's argument (page 9, 2nd paragraph), that Gauthier's disclosure does not teach or suggest the presently claimed invention, the examiner cites the rejection of claim 13, where Gauthier addresses "determining whether the access device is the household's first access device", by disclosing when the ASTB or "access device" is the household's first, a registration code must be entered which allows the MSO server to know that this is the subscriber's first ASTB or "access device" (Col. 5, lines 10-50). If the user adds a second ASTB or "access device" to the residence or "household" a registration code is not required since it was previously entered and the NID or "household" was previously established (Col. 9, lines 11-31).

In response to applicant's argument (pages 9-10, 3rd paragraph), that Gauthier's disclosure does not teach or suggest the presently claimed invention, the examiner cites

the rejection of claim 13, where Gauthier addresses "providing to the access device configuration information for at least one user object associated with the household when the access device is not the first access device of the household" by disclosing when a user adds a new ASTB or "access device" to the residence or "household", the user logs on with a name and password that is used as an identifier to indicate to the server who the subscriber is and the server sends the viewers record or "user object" to the newly added ASTB or "access device" which then stores the viewer record or "user object" in cache memory (Col. 6, line 21 – Col 7, line 20 and Col. 9, lines 11-30).

In response to applicant's argument (page 9, 3rd paragraph), that Gauthier's disclosure does not teach or suggest the presently claimed invention, the examiner cites the rejection of claim 14, where Gauthier addresses the viewer account is "associated with [a] household", a household is a broad enough term to be interpreted to be a user's NID that is associated with one ASTB or a plurality of ASTBs within a residence or "household" therefore making the viewer account or "user object" associated with the household.

In response to applicant's argument (page 10, 4th paragraph), that the combination of Gauthier and Ellis do not teach or suggest the presently claimed invention, the examiner cites the rejection of claims 25 and 27, where Gauthier and Ellis address "when the access device is not the first access device of the household, the configuration information for the at least one user object is automatically provided to the

access device and the configuration information for all of the user objects is automatically provided to the access device, the examiner respectfully disagrees" (Ellis – ¶ 191-192). Ellis does teach providing the information automatically to other devices when the user requests the configuration information is sent to all devices within the household (Figure 40) (Paragraph 217).

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 13-14, 16-17, 19-20, 22-24, 29-30, and 33 are rejected under 35 U.S.C. 102(e) as being anticipated by Gautier (U.S. 6,618,858).

Regarding Claim 13, the claimed element "receiving information that an access device is being associated with a household" is taught by Gautier in figure 2, at step 204. Gautier teaches once plugged in, the ASTB goes through an initialization process to establish connectivity between the ASTB and the MSO (column 5, lines 35-40). The claimed element "determining whether the access device is the household's first access device" is taught by step 206 in figure 2. Gautier teaches a new customer must enter a

registration code on the home page of the MSO (column 5, lines 41-49). The claimed element "providing to the access device configuration information for at least one user object associated with the household when the access device is not the first access device of the household", is taught by Gautier (column 9, lines 11-35). Disclosed by Gautier is if an existing viewer wants to use services on another ASTB, the viewer needs to bind the viewer account to the existing NID.

As for Claim 14, the claimed element "receiving configuration information for at least one user object from a user via the access device when the access device is the first access device of the household" is taught by Gautier (column 5, lines 49-59). Disclosed by Gautier, at step 202 the new viewer contacts the MSO operator who establishes a new subscriber account using the viewers name and address. The MSO operator then provides the user with a registration code to be used on the MSO home page to validate the new viewer. The MSO uses the code to validate the subscriber and when the validation is completed, a binding between the ATSB and information on and a first account on the network is established by using the information the user initially provided to the MSO (column 5, lines 12-57).

Regarding Claim 16, Gauthier teaches, "means for receiving information that an access device is being associated with a household" by disclosing step 204 in figure 2.Gautier teaches once plugged in, the ASTB goes through an initialization process to establish connectivity between the ASTB and the MSO (column 5, lines 35-40). The

claimed element "means for determining whether the access device is the household's first access device" is taught by step 206 in figure 2. Gautier teaches a new customer must enter a registration code on the home page of the MSO (column 5, lines 41-49). The claimed element "means for providing to the access device configuration information for at least one user object associated with the household when the access device is not the first access device of the household" is taught by Gautier (column 9, lines 11-35). Disclosed by Gautier is if an existing viewer wants to use services on another ASTB, the viewer needs to bind the viewer account to the existing NID.

As to Claims 17 and 20 are rejected wherein "receiving configuration information for at least one user object from a user via the access device when the access device is the first access device of the household" (Column 12, lines 12-59).

Regarding Claim 19, the claimed element "receiving information that an access device is being associated with a household" is taught by Gautier in figure 2, at step 204. Gautier teaches once plugged in, the ASTB goes through an initialization process to establish connectivity between the ASTB and the MSO (column 5, lines 35-40). The claimed element "determining whether the access device is the household's first access device" is taught by step 206 in figure 2. Gautier teaches a new customer must enter a registration code on the home page of the MSO (column 5, lines 41-49). The claimed element "providing to the access device configuration information for at least one user

object associated with the household when the access device is not the first access device of the household", is taught by Gautier (column 9, lines 11-35). Disclosed by Gautier is if an existing viewer wants to use services on another ASTB, the viewer needs to bind the viewer account to the existing NID.

As to Claim 22, the claimed element "wherein information that the access device is being associated with the household is automatically received in response to a user coupling the access device to the multimedia communication network system" is taught by Gautier (column 5, lines 37-40). Gautier teaches once the ASTB is plugged in, it goes through an initialization process to establish connectivity with the MSO.

As to Claim 23, the claimed element "receiving information that an access device is being associated with the household includes prompting the user to identify the household includes prompting the user to identify the household when the access device is being coupled to the multimedia communication network system", is taught by Gautier (column 7, lines 21-26). Gautier teaches when a viewer logs on to an ASTB; a viewer enters a TV name and a PIN to be used to retrieve the associated UID.

As to Claim 24, the claimed element "providing to the access device an indication of whether the access device is determined to be the household's first access device", is taught by Gautier (column 5, lines 37-50). Gautier teaches the new viewer can only access the MSO home page and to access the MSO services, the viewer must enter a

registration code on the home page of the MSO, which was obtained earlier from an MSO operator in step 202. Once the viewer enters the registration code, the network validates the viewer's information to facilitate successfully binding the ASTB to the MSO and creating the NID.

As to Claim 29, the claimed element "receiving updated configuration information for the at least one user object via the access device" is taught in step 510 in figure 5. Gautier teaches when a new viewer account is created, the viewer is directed to the member services page to set preferences, settings, login names, passwords, etc. to create an NID. Further, once the NID is created the network generates a UID, which is transmitted to and stored in the cached ASTB viewer record (column 8, lines 66-67 and column 9, lines 1-10).

As to Claim 30, the claimed element "determining whether an administrator attribute in the at least one user object enables a protected setting in the configuration information to be updated", is taught in step 502 in figure 5. Gautier teaches when a viewer is attempting to create another account; the ASTB determines whether the viewer of the existing account has the necessary rights to make another account (column 8, lines 39-51).

As to Claim 33, the claimed element "when the access device is the household's first access device, providing to the access device configuration information for at least

one user object that was created beforehand", is taught by Gautier. Disclosed by Gautier, to register, the viewer must enter the registration code on the MSO home page, the MSO uses the code to validate the subscriber. When the validation is completed, a binding between the ATSB and MSO is complete and information on a first account on the network is established by using the information the user initially provided to the MSO operator in step 202 in figure 2 (column 5, lines 9-64).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 15, 18, 21, 25-28, 31-32, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gautier in view of Ellis et al. "Ellis" (U.S. 2005/0028208).

As for Claims 15, 18, and 21, Gauthier fails to explicitly disclose providing to the access device a ticket number corresponding to the configuration information received from the user. In an analogous art, Ellis discloses the claimed providing to the access device a ticket number corresponding to the configuration information received from the user, as a ticket number is broad enough to read on the disclosure of Ellis, that a unique number may be provided by the program guide, so the that the user may access the

guide settings from remote locations (Paragraph 218). The user's guide settings are revised based upon the user's adjustments. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Gauthier with the teachings of Ellis in order to provide to the access device a ticket number corresponding to the configuration information received from the user for the benefit of allowing a user to access his/her updated settings from a remote location (Ellis – Paragraph 218).

Regarding Claim 25, Gautier teaches providing configuration information to other ASTB (column 9, lines 11-14). Gautier fails to teach "the configuration information for the at least one user object is automatically provided to the access device." In an analogous art, Ellis teaches a program guide system, that coordinates the operation of the multiple interactive television program guides, so that changes made to the first interactive television program guide may be used by the second interactive television program guide (paragraph 191-192). Ellis further teaches the user may indicate specific locations, whether it is the current location, specific locations, or all locations, for the settings to be applied to (figure 40) (Paragraph 217). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Gautier with the teachings of Ellis to automatically provide configuration information for a user object to an access device for the benefit of allowing users to user personalized settings in different locations within a household (Ellis - paragraph 13).

Claim 26 is rejected wherein "when the access device is not the first access device of the household, providing to the access device configuration information for all of the user objects associated with the household" based on similar grounds as the rejection of claim 25.

Claim 27 is rejected wherein "the configuration information for all of the user objects is automatically provided to the household" based on similar grounds as the rejection of claim 25.

As for Claim 28, Gautier teaches users may access different ASTBs and access their personalized settings by logging on. Gautier fails to teach all user objects [are] provided to the access device in response to a request. In an analogous art, Ellis et al. teaches users can request locations of where they would like settings applied to during initial configuration of profiles as shown in figure 40 (paragraph 217). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Gautier with Ellis to provide user objects to access devices upon request for the benefit of allowing users to control the locations of where settings are applied to (Ellis – paragraph 13).

As for Claim 31, Gautier fails to teach automatically providing to the access device updated configuration information for the at least one user object. In an analogous art, Ellis teaches in figures 28 and 40, the user may make changes to user

settings and indicate which locations for the changes to apply to (Paragraphs 191 and 217). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Gautier with the teachings of Ellis to automatically providing to the access device updated configuration information for the at least one user object to facilitating users to apply personal settings to more than one location in a household (Ellis – paragraph 13).

Considering Claim 32, the claimed elements of wherein the updated configuration information is provided to the access device with a ticket number, corresponds with subject matter mentioned above in the rejection of claim 15, and is likewise treated.

As for Claim 34, Gautier teaches "at least one user object was created beforehand by a service provider in the multimedia communication network system", in figure 2, starting at step 202. At step 202, the new viewer contacts the MSO operator and a new subscriber account is created which contains general information like name and address. The new viewer is provided with a registration code, which is used later to validate the subscriber with the MSO. Once the validation is complete, information on the first account on the network is established (column 5, lines 12-59).

5. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gauthier in view of Ellis as applied to claim 15 above, and further in view of Zoller et al. "Zoller" (U.S. 6,941,291).

Regarding Claim 35, the combination of Gauthier and Ellis disclose that a unique number may be provided by the program guide, so the user may access the guide settings from remote locations (Paragraph 218). Gautier and Ellis fail to explicitly teach providing to the access device a different ticket number with updated configuration information for at least one user object.

In an analogous art, Zoller teaches providing to the access device a different ticket number with updated configuration information for at least one user object (Col. 11, lines 1-12). Zoller discloses that it is well known in the art to provide a new version number or "ticket number" to a device when changes are made to a user profile or "user object".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Gautier and Ellis with the teachings of Zoller in order to provide a new ticket number each time a user updated his/her configuration information and provide the associated new ticket number to the access device. One would have been motivated to make this modification in order to allow a user to recall previous configuration information settings.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chris Parry whose telephone number is (571) 272-8328. The examiner can normally be reached on Monday through Friday, 8:30 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner's Initials: CLP
March 1, 2006

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